

REMARKS

A. Status of the Claims

Claims 85 and 90-91 have been amended, claims 1-83 and 93 were previously canceled and new claim 110 has been added. Thus, claims 84-92 and 94-110 are currently pending and under examination. The amendments to claims 85 and 90-91 are to correct a minor typographical error. Support for new claim 110 can be found at least in table 6 on page 30 and on page 5, lines 10-20 of the application. No new matter has been added.

B. Replacement Inventor Declarations

Newly executed inventor declarations that correctly identify the application number and filing date for this case, signed by each inventor, are included herewith. The entry of the declarations into the record pursuant to 37 C.F.R. §1.67 is requested. The named inventors are unchanged.

C. Response to Requirement for Election of Species

In an Office Action dated June 27, 2008, the Examiner issued a requirement for a further species election beyond the originally elected species of substrate peptides having a sequence from $P_2P_1-P_1-P_2$ of NF-EV. In the Office Action the Examiner suggested election of one of the sequences from claim 109. However, Applicants note that the sequences provided in claim 109 (SEQ ID NOs: 5, 133 and 134) do not read on the original elected species of substrate peptides having a sequence of NF-EV at positions $P_2P_1-P_1-P_2$.

Furthermore, Applicants respectfully traverse and point out that the addition of claims 108 and 109 does not impose a search burden upon the Examiner. That is, no burden is imposed because all claims in the case that concern previously elected substrate peptides have already been examined. Nonetheless, in the interest of fully responding to the instant requirement for election of species, Applicants respectfully elect examination of claims concerning substrate peptides wherein P_3 is V and P_3' is E (*see e.g.*, claims 87 and 89), without prejudice to the inclusion of the non-elected subject matter in any later filed application(s). Applicants note that the instant claims concern assay methods with substrate

peptides comprising at least 6 amino acids and that Applicants have now elected examination of claims which concern peptides wherein each of the six positions (*i.e.*, P₃P₂P₁-P₁·P₂·P₃·) has been defined. Thus, claims 84-92, 94-107 and new claim 110 concern peptide substrates having a sequence consistent with the current election (*i.e.*, VNF-EVE at the P₃-P₃· positions). Applicants request consideration of claims concerning non-elected species (*i.e.*, claims 108-109) upon an indication that a generic claim is allowable. In view of this further election, Applicants respectfully request examination and allowance of the claims.

D. Conclusion

In view of the foregoing amendment and remarks, Applicants respectfully submit that each of claims 84-92 and 94-110 is in condition for allowance. Favorable examination and allowance of these claims is respectfully requested at the earliest possible date. The Examiner is invited to contact the undersigned at the number provided with any questions.

Dated: July 28, 2008

Respectfully submitted,

By 

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Attachments